

Conditions of Application of the Route Charges System and Conditions of Payment

EUROCONTROL

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CONDITIONS OF APPLICATION OF THE ROUTE CHARGES SYSTEM

ARTICLE 1

1. A charge shall be levied for each flight performed in accordance with the procedures laid down in application of the Standards and Recommended Practices of the International Civil Aviation Organization in the airspace falling under the responsibility of the Contracting States. For route charge purposes, this airspace shall be divided into en route charging zones, as defined by the Contracting States and listed in Annex 1.
2. The charge shall constitute remuneration for the costs incurred by Contracting States in respect of en route air navigation facilities and services and the operation of the Route Charges System, and for the costs incurred by EUROCONTROL in operating the System.
3. The charges generated in a given charging zone may be subject to value added tax (VAT). EUROCONTROL may, in that case, recover the said tax under the conditions and in accordance with the procedures agreed with the Contracting State(s) concerned.
4. The charges generated in a given charging zone may be subject to incentive scheme(s). EUROCONTROL may implement the incentive scheme(s) under the conditions and in accordance with the procedures agreed with the Contracting State(s) concerned.
5. The person liable to pay the charge shall be the person who was the operator of the aircraft at the time when the flight was performed. The ICAO designator or any other recognised designator in the identification of the flight may be used to identify the operator of the aircraft.
6. If the identity of the operator is not known, the owner of the aircraft shall be regarded as the operator unless he proves which other person was the operator.

ARTICLE 2

For each flight entering the airspace of the charging zones listed at Annex 1, a single charge (**R**) shall be collected equal to the sum of the charges accruing in respect of that flight in the airspace of the charging zones concerned:

$$R = \sum_n r_i$$

The individual charge (**r_i**) for flights in a charging zone (**i**) shall be calculated in accordance with the provisions of Article 3.

ARTICLE 3

The charge for a flight in a given charging zone (**i**) shall be calculated in accordance with the following formula:

$$r_i = t_i \times N_i$$

where (**r_i**) is the charge, (**t_i**) the unit rate of charge and (**N_i**) the number of service units corresponding to such a flight.

ARTICLE 4

For a given flight, the number of service units, designated (N_i), referred to in the foregoing article shall be obtained by means of the following formula:

$$N_i = d_i \times p$$

where (d_i) is the distance factor in respect of the charging zone (i) and (p) the weight factor for the aircraft concerned.

ARTICLE 5

1. The distance factor (d_i) shall be obtained by dividing by one hundred (100) the number of kilometres in the great circle distance between:
 - the aerodrome of departure within, or the point of entry into, the charging zone (i)
 - and
 - the aerodrome of first destination within, or the point of exit from, that charging zone (i).

The aforesaid entry and exit points shall be the points at which the lateral limits of the said charging zone are crossed by the actual route flown as recorded by the Network Manager.

2. For flights terminating at the aerodrome from which the aircraft has taken off and during which no intermediate landing has been made (circular flights), the distance factor in the charging zone containing the most distant point from the aerodrome shall be obtained by dividing by one hundred the number of kilometres flown in the total great circle distance:
 - between the point of entry into that charging zone and the most distant point
 - and
 - between the most distant point and the point of exit from that charging zone.

For a circular flight performed exclusively in a single charging zone the distance factor shall be obtained by dividing by one hundred (100) the number of kilometres in the great circle distance between the aerodrome and the most distant point from the aerodrome, multiplied by two (2).

3. The distance to be taken into account shall be reduced by twenty (20) kilometres for each take-off from and for each landing in the charging zone.

ARTICLE 6

1. The weight factor (p) – expressed as a figure taken to two decimal places - shall be the square root of the quotient obtained by dividing by fifty (50) the number of metric tons expressed as a figure taken to one decimal in the certificated maximum take-off weight of the aircraft as shown in the Aircraft Flight Manual:

$$p = \sqrt{\frac{\text{Max. take-off weight}}{50}}$$

2. Where an aircraft has multiple certificated maximum take-off weights, the highest one shall be used.
3. Aircraft operators shall declare the composition of their fleet and the certificated maximum take-off weight of each of their aircraft to EUROCONTROL whenever there is a change and at least annually.

Aircraft operators shall declare any change in the composition of their fleet or in the certificated maximum take-off weight of their aircraft to EUROCONTROL by the last working day of the calendar month in which the change occurs. Aircraft operators declaring the certificated maximum take-off weight of a given aircraft shall provide the Aircraft Flight Manual of that aircraft to EUROCONTROL.

Where an aircraft operator has not provided the Aircraft Flight Manual to EUROCONTROL in accordance with the above or where the certificated maximum take-off weight of the aircraft is not known to EUROCONTROL, the weight factor shall be calculated by taking the weight of the heaviest aircraft of the same type known to exist.

ARTICLE 7

1. The unit rate of charge (t_i) shall be established in euros.
2. The unit rate of charge (t_i) shall be the sum of the national unit rate of charge (t_{ni}) and the administrative unit rate (t_a) for billing and collection costs.
3. Unless decided differently by the Contracting State(s) concerned, the national unit rate of charge for a charging zone for which the euro is not the national currency shall be recalculated monthly by applying the average monthly rate of exchange between the euro and the national currency for the month preceding the month during which the flight takes place. The exchange rate applied shall be the monthly average of the "Closing Rate" calculated by Reuters based on daily BID rate.

ARTICLE 8

1. The following flights shall be exempt from the payment of charges:
 - a. flights performed by aircraft of which the maximum take-off weight authorised is less than two (2) metric tons;
 - b. search and rescue flights authorised by the appropriate competent body.

2. Furthermore, the Contracting State(s) concerned may, in respect of a given charging zone falling under its (their) responsibility, exempt from the payment of the charge:
 - a. military flights performed by aircraft of any State;
 - b. training flights performed exclusively for the purpose of obtaining a licence, or a rating in the case of cockpit flight crew, and where it is substantiated by an appropriate remark on the flight plan that the flight is performed exclusively for that purpose. Flights must be performed solely within this charging zone;
 - c. flights performed exclusively for the purpose of checking or testing equipment used or intended to be used as ground aids to air navigation, excluding positioning flights by the aircraft concerned;
 - d. flights terminating at the aerodrome from which the aircraft has taken off and during which no intermediate landing has been made (circular flights);
 - e. flights performed exclusively under VFR within this charging zone;
 - f. humanitarian flights authorized by the appropriate competent body;
 - g. customs and police flights;
 - h. flights performed exclusively for the purpose of transport, on official mission, of reigning Monarchs and their immediate family, heads of state, heads of government and government ministers, where it is substantiated by the appropriate status indicator or remark on the flight plan that the flight is performed exclusively for that purpose.

ARTICLE 9

The charge shall be payable at EUROCONTROL's Headquarters, in accordance with the Conditions of Payment set out in Annex 2. The currency of account used shall be the euro.

Where a debtor has not paid the amount due, measures may be taken to enforce recovery in accordance with applicable law.

ARTICLE 10

The Contracting States shall publish the Conditions of Application of the Route Charges System and the unit rates.

EN ROUTE CHARGING ZONES

<u>Name of Charging Zone</u>	<u>Airspace description</u>	<u>Contracting State(s)</u>
Albania	Tirana Flight Information Region Tirana Upper Flight Information Region	<u>Republic of Albania</u>
Armenia	Yerevan Flight Information Region	<u>Republic of Armenia</u>
Austria	Wien Flight Information Region	<u>Republic of Austria</u>
Belgium - Luxembourg	Bruxelles Upper Flight Information Region Bruxelles Flight Information Region	<u>Kingdom of Belgium / Grand Duchy of Luxembourg</u>
Bosnia and Herzegovina	Sarajevo Upper Flight Information Region Sarejevo Flight Information Region	<u>Bosnia and Herzegovina</u>
Bulgaria	Sofia Flight Information Region, less the airspace defined by the lateral limits of "Sector DF 2", and with the addition of the airspace defined by the lateral limits of "Sector DF 1", where: <ul style="list-style-type: none"> • the lateral limits of "Sector DF 1" are 43°52'13"N 025°58'33"E – 43°56'47"N 025°44'32"E – 43°58'46"N 025°28'18"E – 43°58'24" N 025°00'09"E – 43°41'53"N 024°41'48"E – then along the national border between the Republic of Bulgaria and Romania to the point of origin • the lateral limits of "Sector DF 2" are 43°44'08"N 028°30'04"E – 43°38'55"N 028°25'35"E – 44°08'26"N 027°01'01"E – then along the national border between the Republic of Bulgaria and Romania to the point of origin 	<u>Republic of Bulgaria</u>
Canaries	Islas Canarias Upper Flight Information Region Islas Canarias Flight Information Region	<u>Kingdom of Spain</u>
Continental Spain	Madrid Upper Flight Information Region Madrid Flight Information Region Barcelona Upper Flight Information Region Barcelona Flight Information Region	<u>Kingdom of Spain</u>
Croatia	Zagreb Flight Information Region Zagreb Upper Flight Information Region	<u>Republic of Croatia</u>
Cyprus	Nicosia Flight Information Region	<u>Republic of Cyprus</u>
Czech Republic	Praha Flight Information Region	<u>Czech Republic</u>
Denmark	København Flight Information Region	<u>Kingdom of Denmark</u>
Estonia	Tallinn Flight Information Region	<u>Republic of Estonia</u>
Finland	Finland Upper Flight Information Region Finland Flight Information Region	<u>Republic of Finland</u>

<u>Name of Charging Zone</u>	<u>Airspace description</u>	<u>Contracting State(s)</u>
France	France Upper Flight Information Region Paris Flight Information Region Brest Flight Information Region Bordeaux Flight Information Region Marseille Flight Information Region Reims Flight Information Region	<u>French Republic</u>
Georgia	Tbilisi Flight Information Region	<u>Georgia</u>
Germany	Hannover Upper Flight Information Region Rhein Upper Flight Information Region Bremen Flight Information Region Langen Flight Information Region München Flight Information Region	<u>Federal Republic of Germany</u>
Greece	Hellas Upper Flight Information Region Athina Flight Information Region	<u>Hellenic Republic</u>
Hungary	Budapest Flight Information Region	<u>Republic of Hungary</u>
Ireland	Shannon Upper Flight Information Region Shannon Flight Information Region Shannon Oceanic Transition Area enclosed by the following co-ordinates: 51°North 15°West, 51°North 8°West, 48°30' North 8°West, 49°North 15°West, 51°North 15°West at and above FL55 Northern Oceanic Transition Area enclosed by the following co-ordinates: 57°North 15° West, 54°North 15° West, 57°North 10°West, 54°34'North 10°West at and above FL55	<u>Ireland</u>
Italy	Milano Upper Flight Information Region Milano Flight Information Region Roma Upper Flight Information Region Roma Flight Information Region Brindisi Upper Flight Information Region Brindisi Flight Information Region	<u>Italian Republic</u>
Latvia	Riga Flight Information Region	<u>Republic of Latvia</u>
Lisboa	Lisboa Upper Flight Information Region Lisboa Flight Information Region	<u>Portuguese Republic</u>
Lithuania	Vilnius Flight Information Region	<u>Republic of Lithuania</u>
Malta	Malta Upper Flight Information Region Malta Flight Information Region	<u>Republic of Malta</u>
Moldova	Chisinau Flight Information Region	<u>Republic of Moldova</u>
Netherlands	Amsterdam Flight Information Region	<u>Kingdom of the Netherlands</u>
North Macedonia	Skopje Flight Information Region	<u>Republic of North Macedonia</u>
Norway	Norway Upper Flight Information Region Norway Flight Information Region Bodø Oceanic Flight Information Region	<u>Kingdom of Norway</u>
Poland	Warszawa Flight Information Region	<u>Republic of Poland</u>

<u>Name of Charging Zone</u>	<u>Airspace description</u>	<u>Contracting State(s)</u>
Romania	Bucuresti Flight Information Region, less the airspace defined by the lateral limits of "Sector DF 1", and with the addition of the airspace defined by the lateral limits of "Sector DF 2", where: <ul style="list-style-type: none"> the lateral limits of "Sector DF 1" are 43°52'13"N 025°58'33"E – 43°56'47"N 025°44'32"E – 43°58'46"N 025°28'18"E – 43°58'24" N 025°00'09"E – 43°41'53"N 024°41'48"E – then along the national border between the Republic of Bulgaria and Romania to the point of origin the lateral limits of "Sector DF 2" are 43°44'08"N 028°30'04"E – 43°38'55"N 028°25'35"E – 44°08'26"N 027°01'01"E – then along the national border between the Republic of Bulgaria and Romania to the point of origin 	<u>Romania</u>
Santa Maria	Santa Maria Flight Information Region	<u>Portuguese Republic</u>
Serbia / Montenegro / KFOR	Beograd Upper Flight Information Region Beograd Flight Information Region	<u>Republic of Serbia / Montenegro</u>
Slovakia	Bratislava Flight Information Region	<u>Slovak Republic</u>
Slovenia	Ljubljana Flight Information Region	<u>Republic of Slovenia</u>
Sweden	Sweden Upper Flight Information Region Sweden Flight Information Region	<u>Kingdom of Sweden</u>
Switzerland	Switzerland Upper Flight Information Region Switzerland Flight Information Region	<u>Swiss Confederation</u>
Turkey	Ankara Flight Information Region Istanbul Flight Information Region	<u>Republic of Turkey</u>
United Kingdom	Scottish Upper Flight Information Region Scottish Flight Information Region London Upper Flight Information Region London Flight Information Region	<u>United Kingdom of Great-Britain and Northern Ireland</u>
Ukraine	Kyiv Upper Flight Information Region Kyiv Flight Information Region Simferopol' Flight Information Region Odesa Flight Information Region Dnipro Flight Information Region Lviv Flight Information Region	<u>Ukraine</u> ¹

¹ not yet technically integrated.

CONDITIONS OF PAYMENT

CLAUSE 1

1. The amounts billed shall be payable at EUROCONTROL's Headquarters in Brussels.
2. EUROCONTROL will nevertheless consider payment into the accounts opened in its name with banking establishments in the States designated by the competent bodies of the Route Charges System as a discharge of the payer's liability.
3. The amount of the charge is due on the date of performance of the flight. The latest value date by which payment must be received by EUROCONTROL shall be shown on the bill and is 30 days from the date of the bill.

CLAUSE 2

1. Except as provided in paragraph 2 of this clause, the amount of the charge shall be paid in euros.
2. Any user who is a national of a Contracting State may, whenever payment is made by him into a designated banking establishment situated in the State of which he is a national, discharge the debt in the convertible currency of that State.
3. Where a user avails himself of the facility referred to in the foregoing paragraph, the conversion into national currency of the euro amount shall be effected at the daily exchange rate used for commercial transactions for the value date and place of payment.

CLAUSE 3

Payment shall be deemed to have been received by EUROCONTROL on the value date on which the amount due was credited into a designated bank account of EUROCONTROL. The value date shall be the date on which EUROCONTROL can use the funds. Bank charges in relation to the payment of EUROCONTROL bills shall be borne by the airspace user.

CLAUSE 4

1. Payments shall be accompanied by a statement giving the references, dates and euro amounts in respect of bills paid and of any credit notes deducted. The requirement to show the amounts of bills in euro shall apply also to users availing themselves of the facility to pay in national currency.
2. Where a payment is not accompanied by the details specified in paragraph 1 above so as to allow its application to a specific bill or bills, EUROCONTROL will apply the payment:
 - first to the oldest unpaid bills, and then
 - to the interests on late payment.

CLAUSE 5

1. Claims against bills must be submitted to EUROCONTROL in writing or by an electronic medium previously approved by EUROCONTROL. The latest date by which claims must be received by EUROCONTROL shall be shown on the bill and is 60 days from the date of the bill.
2. The date of submission of claims shall be the date on which the claims are received by EUROCONTROL.
3. Claims must be detailed and should be accompanied by any relevant supporting evidence.
4. Submission of a claim by a user shall not entitle him to make any deduction from the relevant bill unless so authorised by EUROCONTROL.
5. Where EUROCONTROL and a user are mutually debtor and creditor no compensation payments shall be effected without EUROCONTROL's prior agreement.

CLAUSE 6

1. Any charge, which has not been paid by the latest date for payment, shall be increased by the addition thereto of interest at a rate decided by the competent bodies, and published by the Contracting States in accordance with Article 10 of the Conditions of Application. The interest, entitled Interest on Late Payment, shall be simple interest calculated from day to day on the unpaid overdue amount.
2. The interest will be calculated and billed in euros.

CLAUSE 7

Where a debtor has not paid the amount due, measures may be taken to enforce recovery. These measures may include the denial of services, detention of aircraft or other enforcement measures in accordance with applicable law.